

**DELAWARE CRIMINAL JUSTICE INFORMATION SYSTEM  
BOARD OF MANAGERS  
PUBLIC SESSION MEETING MINUTES  
February 22, 2018**

**OPENING AND ATTENDANCE**

The Board of Managers meeting was held at the Veteran's Affairs office located in Dover, Delaware. Ms. Bhate called the meeting to order at approximately 10:05 a.m.

Those in attendance included:

**BOM MEMBERS**

Renee Rigby	DSP
Marianne Kennedy	JP Court
Michelle Hoffman	Family Court
Marian Bhate	ODS
Gregory Patterson	DOJ
Secretary Collins	DTI
Phil Winder	DOC
Lt. Frederick Calhoun	NCCPD
Leann Summa	DYRS
Chief William Bryson	DE Police
	Chiefs' Council

**PUBLIC AND NON-VOTING PARTIES**

Captain Benjamin Parsons  
John Cornwell  
Talon Taylor  
Liana Dodson  
Brian Calloway  
Paul Thornburg  
Robert Legates, Jr.  
Anthony Spiezio  
Jeffrey Hale  
Isabella Kaplan  
Justin Day

**STAFF**

Earl McCloskey	DELJIS
Michael Kelly	DELJIS
Lynn Gedney	DELJIS
Peggy Bell	DELJIS
Mary Hansen	DELJIS
Patricia Davis	DAG
Alyssa Huenke	DELJIS

**I. REVIEW AND APPROVAL OF MEETING MINUTES**

**BOM Public Session Minutes -**

Chief Bryson made a motion to approve the January 2018 BOM Public Session minutes. The motion was seconded by Lt. Calhoun. All approved. Motion carried.

**BOM Executive Session Minutes –**

Chief Bryson made a motion to approve the January 2018 BOM Executive Session minutes. The motion was seconded by Lt. Calhoun. All approved. Motion carried.

**II. HEARINGS**

A motion was made by Lt. Calhoun to enter Executive Session pursuant to 29 Delaware Code §10004 to discuss criminal files and criminal records, the disclosure of which would constitute an invasion of personal privacy, and/or to discuss documents excluded from definition of public record where such discussion may disclose the

contents of such documents, including pursuant to §10002 (l)(3)(5)(6)(9) and seconded by Ms. Rigby. All approved. Motion carried.

- Case #20170756 – Secretary Collins made a motion to require the Appellant to be retrained and log DELJIS activity for a period of 90 days. The motion was seconded by Chief Bryson. All approved. Motion carried.
- Case #20170783 – Ms. Summa made a motion to require the Appellant to be retrained, resign the DELJIS Rules and Regulations, log DELJIS activity for a period of 30 days, and lift the current suspension of DELJIS access. All approved. Motion carried.

### **III. NETWORK MANAGEMENT**

- Colonial School District – Ms. Bhate advised the Board that Mr. Hale was present to request access as a constable for Colonial School District. Mr. McCloskey explained that the access requested is the same as the access provided to the constables at private schools. Ms. Bell added that Colonial School District would be the first public school to have access for its constables. Ms. Bhate stated to the Board that she is not opposed to providing the specified DELJIS access in this case as constables at private school have previously been granted the same access.

Chief Bryson made a motion to approve the access request from Colonial School District. The motion was seconded by Lt. Calhoun. All approved. Motion carried.

### **IV. STRATEGIC ISSUES**

- DELJIS Modernization Report - Secretary Collins advised that most agencies on the mainframe have established a modernization strategy. Research continues into options for DELJIS and the Courts to migrate off of the mainframe. Secretary Collins advised encouraged engaging the Courts and DELJIS in conversations about exploring options such as database or code conversion to facilitate the migration. Mr. McCloskey added that in a recent meeting with DTI, it was discussed that Department of Correction is also a significant party when it comes to mainframe use and should be included in meetings about migration as well. There was discussion about possible challenges with obtaining funding to accommodate a migration. Ms. Kennedy and Ms. Bhate stated that the Courts and the Department of Justice are also greatly impacted by any changes that occur with DELJIS. Ms. Bell added that Delaware State Police should be considered when it comes to changes as well to ensure federal exchanges and standards are not overlooked.

### **V. COMMITTEE REPORTS**

There were no committee reports.

### **VI. OLD BUSINESS**

- Automated Usage Statistics - Mr. McCloskey referenced Attachment C in the meeting handouts and reviewed the automated usage statistics with the attendees.
- Project Status Report – Mr. McCloskey reviewed the project status report with the attendees, referring to Attachment D in the meeting handouts. He discussed the

addition of new projects and the purposes of same. Mr. McCloskey also discussed projects that have recently been completed.

- Compliance Audit Report – Mr. McCloskey advised the Board that there are no updates to be reported as he has not conducted a compliance audit yet.

## **VII. NEW BUSINESS**

- Secondary Employment – Ms. Bell advised that after the January Board of Managers meeting, the Board requested she ask DELJIS employees if they hold secondary employment and the nature of same if so. Ms. Bell stated that there are a handful of employees at DELJIS that hold secondary employment and that the nature of such did not seem to pose a conflict of interest. The members of the Board discussed adding reviewing a draft of a Secondary Employment Policy to the agenda for the March Board of Managers meeting.

Ms. Bhate disclosed the results of Mr. McCloskey's hearing with the Public Integrity Commission to evaluate whether or not acting as a police officer and the Executive Director of DELJIS created a conflict of interest. She reported that the Commission deemed there was no conflict of interest.

- Revision of DELJIS Rules and Regulations – DAG Davis presented the proposed revision of the DELJIS Rules and Regulations referencing Attachment D of the meeting handouts. She stated that the revision adds a provision to the Regulations that allows the Executive Director to recuse his or herself in the event of a conflict of interest regarding a security breach, in turn deferring the decision to the Chair of the Board. DAG Davis continued by reviewing the process for adopting the revision of the Regulations. She stated the Board will make a motion to approve the revision, then she will put the Regulations out for publication, a written public comment period will follow, and if the revision is adopted they go out as final and later go into effect.

Ms. Summa made a motion to approve the revision of the DELJIS Rules and Regulations. The motion was seconded by Secretary Collins. All approved. Motion carried.

- Slate of Officers – Lt. Calhoun presented the slate of officers to be laid on the table until the March Board of Managers meeting as follows:
  - Chair – Ms. Marian Bhate
  - Vice Chair – Lt. Frederick Calhoun
  - Secretary – Ms. Marianne Kennedy
- Disposition Reporting Project – Ms. Bell advised that in 2008 the DELJIS Board of Managers convened and initiated the Disposition Consolidation Project with the purpose of combining thousands of dispositions and reason codes into a workable list as shown in Attachment E of the meeting handouts. Ms. Bell continued by stating recently it has come to light that disposition codes for noncriminal offenses have been entered as dispositions for criminal offenses. It was determined that JIC

had implemented the edit checks to prevent noncriminal dispositions from being entered on criminal charges, but then backed out the edits. Ms. Bell advised that she notified JIC in October that there was an issue with dispositions being entered on their side and that the edits need to be replaced. There was disagreement among the upper courts about whether or not they approved of the edit checks. Ms. Bell advised she sent the documentation from the initial Disposition Consolidation Project to JIC to show what edits were agreed upon. There was discussion about the trickledown effect of the disposition errors in regard to DMV records and criminal histories. Ms. Bell asked the Board to mandate JIC to follow the edits that they agreed to in 2008 in order to protect the integrity and accuracy of criminal justice data.

There was discussion about fixing the data that has already been entered incorrectly. Ms. Bell advised that there are individuals at DELJIS that will be tasked with correcting the data, but stressed the need to prevent more incorrect dispositions from being entered. There was discussion about the Board's role in mandating the changes and edits that were agreed to in 2008 be followed. Lt. Calhoun asked if there was any recourse if JIC was not to comply with implementing the edit checks. Ms. Bell advised that the recourse is DELJIS will implement a check that converts the incorrect data to the correct disposition when the information is sent from JIC to CJIS. There was discussion about such a check being a workaround versus repercussion for noncompliance. Members of the Board expressed desire for more conversation between DELJIS and the Courts to resolve the discrepancy. Ms. Bell advised that she had been communicating back and forth with JIC since October and no action has been taken on their side, so she was reaching out to the Board for assistance. Ms. Summa stated that there are multiple members on the Board representing the Courts and perhaps they could begin to facilitate a resolution. Mr. McCloskey and Ms. Bell agreed to reach out to Mr. Elmer Setting to discuss the issue and will report back to the Board.

A motion was made by Ms. Kennedy to enter Executive Session pursuant to 29 Delaware Code §10004 to discuss personnel matters, which would constitute an invasion of personal privacy, and/or to discuss documents excluded from definition of public record where such discussion may disclose the contents of such documents, including pursuant to §10002 (l)(1) and seconded by Chief Bryson. All approved. Motion carried.

#### **VIII. PUBLIC COMMENT**

There was no public comment.

#### **IX. ADJOURNMENT**

A motion was made by Secretary Collins to adjourn the meeting and seconded by Ms. Kennedy at approximately 12:20 p.m.